

### **Pending Claims**

This listing of claims is a courtesy copy of the pending claims. No amendments have been made in this Reply.

1. (Previously Presented) A method for a data network system for forwarding a communication message intended for a target device associated with a target user to another device, the method comprising the steps of:
  - receiving a communication message from an originating device;
  - retrieving configuration information and presence information of the target device, the configuration information including a forwarding list identifying at least one next device;
  - determining whether the target device is available for text messaging with the originating device based on the presence information;
  - routing the communication message to the target device if the target device is available for text messaging with the originating device; and
  - forwarding the communication message to a particular next device, associated with a next user, of the at least one next device of the forwarding list if the target device is unavailable for text messaging with the originating device, wherein the forwarding list is a contact or buddy list for an instant messaging system.
2. (Original) The method of claim 1, further comprising the step of configuring the configuration data of the target device before the step of receiving the communication message from the originating device.
3. (Previously Presented) The method of claim 1, further comprising the step of retrieving status information of at least one of the originating device and the target device, wherein the step of determining whether the target device is available for text messaging includes the step of comparing the status information against the configuration data to determine whether the target device is available for text messaging.
4. (Original) The method of claim 3, wherein the status information includes a location of the target device.
5. (Original) The method of claim 1, further comprising the step of determining whether the originating device is present on the forwarding list.

6. (Original) The method of claim 1, further comprising the step of identifying the particular next device as having a highest priority among the at least one next device of the forwarding list.

7. (Original) The method of claim 1, further comprising the steps of:  
determining that the particular next device is not available to receive the communication message; and  
selecting another next device of the at least one next device.

8. (Previously Presented) The method of claim 7, further comprising the step of forwarding the communication message to the another next device, instead of the particular next device, if the another next device is available for text messaging with the originating device.

9. (Original) The method of claim 1, wherein the forwarding list identifies next devices in order of priority as pre-configured for the target device.

10. (Currently Amended) The method of claim 1, wherein the forwarding list identifies next devices in order of priority based on a proximity of the next devices relative to one of either the originating device or ~~and~~ the target device.

11. (Previously Presented) The method of claim 1, further comprising the step of prohibiting, by the originating device, forwarding of messages, received from the originating device, to other devices.

12. (Original) The method of claim 1, further comprising the step of receiving authorization from the originating device before forwarding the communication message to the particular next device.

13. (Previously Presented) The method of claim 1, further comprising the step of identifying a mark, by the originating device, in the communication message indicating that the communication message may not be forwarded to other devices.

14. (Original) The method of claim 1, further comprising the step of receiving authorization from the particular next device before the target device adds the particular next device to the forwarding list.

15. (Original) The method of claim 1, further comprising the step of modifying the communication message before forwarding the communication message to the particular next device.

16. (Original) The method of claim 15, wherein the communication message is modified to prevent the communication message from divulging an identity of the originating device to the particular next device.

17. (Previously Presented) A data network system for forwarding a select message communicated by a mobile station to at least one other mobile station, the data network system comprising:

a messaging server for communicating with a plurality of devices, the messaging server being capable of routing a communication message from an originating device to a target device associated with a target user; and

a messaging proxy coupled to the messaging server, the messaging proxy having access to a database that includes a forwarding list of the target device that identifies at least one next device, the messaging proxy being effective to determine whether the target device is available for text messaging with the originating device based on presence information of the target device, route the communication message to the target device if the target device is available for text messaging with the originating device, and forward the communication message to a particular next device of the at least one next device of the forwarding list if the target device is unavailable for text messaging with the originating device, the forwarding list is a contact or buddy list for an instant messaging system,

wherein the messaging proxy selects a next user from the forwarding list until an available next user is found.

18. (Original) The data network system of claim 17, wherein the messaging proxy is incorporated within the messaging server.

19. (Original) The method of claim 17, wherein the database is stored in the messaging server.

20. (Original) The method of claim 17, wherein the database is stored in the messaging proxy.

21. (Original) The data network system of claim 17, wherein the messaging proxy determines that the originating device allows forwarding of messages.

22. (Canceled)

23. (Original) The data network system of claim 17, wherein the forwarding list identifies next devices in order of priority as pre-configured for the target device.

24. (Previously Presented) The data network system of claim 17, wherein the forwarding list identifies next devices in order of priority based on a proximity of the next devices relative to one of either the originating device or the target device.